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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEVEN SAY-KYOUN OW ET AL.

Serial No. 09/121,152

Art Unit: 1731

Filed: July 22, 1998

For: BIOLOGICAL DE-INKING METHOD

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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT AND  
SUSPENSION OF RULES REGARDING TERMINAL DISCLAIMER**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

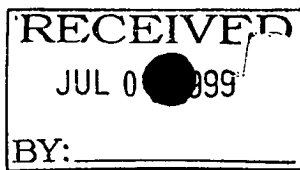
Applicants respectfully petition the Commissioner of Patents to withdraw the holding of abandonment in the above-referenced application under MPEP § 711.03(c). Applicants respectfully submit that a timely response to the Notice to File Missing Parts mailed August 14, 1998 was filed with the Patent Office by depositing the Communication in Response to the Notice to File Missing Parts including the \$920.00 filing fee and a copy of inventor Tae Jim Eom's signed Declaration with the U.S. Postal Service with sufficient postage and a certificate of mailing in accordance with Rule 1.8(a) on October 14, 1998.

Furthermore, applicants respectfully petition the Commissioner of Patents to suspend the rules regarding the filing of a terminal disclaimer when a Petition to Withdraw a Holding of Abandonment is filed more than two months from the mailing date of the Notice of Abandonment. The Notice of Abandonment was sent to the former attorney of record and was not received by the appropriate attorney of record until thirty-four days from the Patent and Trademark

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on September 13, 1999.

William L. Warren - Reg. No. 36,714

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01 FC:122



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/121,152	07/22/98 OW	0212/0701	S 20565-0111

WALTER R BROOKHART  
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HOUSTON TX 77057

NOT ASSIGNED

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DATE MAILED: 07/01/99

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53(f) or (g)**  
**(Filing Date Granted)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 8-14-98.


- ☒ No reply was received.
- ☐ The reply received on \_\_\_\_\_ was untimely.
- ☐ The reply received on \_\_\_\_\_ was improper. The reply did not include:
- ☐ 1. The surcharge under 37 CFR 1.16(e) required for filing the basic filing fee or oath or declaration on a date later than the filing date of a nonprovisional application.
  - ☐ 2. The surcharge under 37 CFR 1.16(i) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.
  - ☐ 3. The full amount of the basic filing fee under 37 CFR 1.16 (a), (f), (g), (k).  
(Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(l) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid).
  - ☐ 4. The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.
- ☐ The letter of Express Abandonment filed on \_\_\_\_\_ is acknowledged.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202